

**NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION
REVIEW COMMITTEE MEETING**

FRIDAY, JUNE 11, 2010

TELECONFERENCE

**NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION
REVIEW COMMITTEE MEETING**

1:00 p.m. EDT

Friday, June 11, 2010

Teleconference

COMMITTEE MEMBERS PRESENT:

Ms. Rosita Worl, Chair

Ms. Sonya Atalay

Ms. Donna Augustine

Mr. Alan Goodman

Mr. Eric Hemenway

Mr. Dan Monroe

Mr. Mervin Wright, Jr.

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1 **WELCOME AND ROLL CALL**

2 ROSITA WORL: Let us call the Review Committee
3 meeting to order, and let's do a roll call, please.

4 DAVID TARLER: Yes. Rosita Worl?

5 ROSITA WORL: Here.

6 DAVID TARLER: Donna Augustine?

7 DONNA AUGUSTINE: Here.

8 DAVID TARLER: Dan Monroe?

9 DAN MONROE: Here.

10 DAVID TARLER: Alan Goodman?

11 ALAN GOODMAN: Here.

12 DAVID TARLER: Eric Hemenway?

13 ERIC HEMENWAY: Here.

14 DAVID TARLER: Mervin Wright?

15 MERVIN WRIGHT, JR.: Here.

16 DAVID TARLER: And Sonya Atalay?

17 SONYA ATALAY: Here.

18 DAVID TARLER: Everyone is present, Madam
19 Chair.

20 ROSITA WORL: Thank you very much. We do have
21 some of our Review Committee members who may – who
22 are leaving early and then will rejoin us. So what
23 I would like to do, if there are no objections, is
24 to have the action items first and then the
25 informational and discussion issues would come

1 later. And so that means we would look at our
2 draft report to Congress, the appointment of
3 someone to write our 2010 report to Congress, the
4 disposition of human remains and funerary objects
5 from Tennessee Division of Archaeology, and then
6 also the date and location of the 2011 Review
7 Committee meetings, and then the Dan Monroe
8 statement. So if there are no objections to that,
9 we'll proceed in that way to do the action items
10 first.

11 DAVID TARLER: Very good, Madam Chair.

12 ROSITA WORL: All right. Hearing no
13 objections, let's go ahead and do the Review
14 Committee's report to Congress for 2009, and Eric,
15 do you want to take the lead here?

16 **REVIEW COMMITTEE'S REPORT TO CONGRESS FOR 2009**

17 ERIC HEMENWAY: Sure. I went back and made the
18 revisions that were requested by the Review
19 Committee at last month's meeting and tried to
20 clean up a little bit of the wording so it wasn't
21 so general and tried to have more specifics when it
22 came to museums and Federal agencies and put in
23 some of the recommendations that the Review
24 Committee wanted to see in the report. But one
25 concern or issue I was having when I was writing

1 this report was a lot of personal experience kept
2 kind of (comment inaudible) the report. And when
3 you look at the report, it has a section called
4 Barriers Encountered, but when you go back and look
5 at the minutes to the Review Committee meetings and
6 if you were at the meetings there was not a lot of
7 emphasis put on these like specific barriers. But
8 we all encounter a lot of barriers in our day-to-
9 day work under NAGPRA, so I was putting those in as
10 I saw fit and I just wanted to run that by the
11 Review Committee again. I just wanted to double-
12 check to see if that was permissible.

13 ROSITA WORL: Any comments, Review Committee
14 members?

15 Well, Eric, I read the report, and I thought
16 it was – you had addressed many of the different
17 issues that we had raised in our last meeting. And
18 I also looked over the barriers, and I didn't find
19 anything that I didn't think was – that hadn't been
20 referenced in some sort of way, either by the
21 Review Committee members or by the public. So I'm
22 satisfied with that. So are there any other
23 comments on the report to Congress?

24 ALAN GOODMAN: Yes, this is Alan Goodman. I
25 would agree with Rosita, you know, that barriers

1 encountered aren't things that we necessarily spend
2 a lot of time talking directly about, but
3 indirectly we all do experience them. And I think
4 you - Eric, you've done a really nice job of laying
5 them out.

6 ROSITA WORL: Any further comments?

7 DAN MONROE: Yes, this is Dan. I think I would
8 affirm the statement that you've done a nice job,
9 Eric.

10 I believe that we should consider also adding
11 a Barriers Encountered section that deals with
12 level of staffing at the NPS, the NAGPRA National
13 Program, in a variety of ways. We have, in 2009
14 and '10, real evidence that (comment inaudible)
15 operate and implement this Act with support that's
16 not really at the level it needs to be at the
17 National NAGPRA Office, and I think that we should
18 make reference to that. And also in the 2010
19 report, we should make reference to the fact that
20 both the combination of resources and allocation of
21 resources in the National NAGPRA Program is an
22 issue.

23 ROSITA WORL: I think we could probably include
24 that in barrier number one where we talk about
25 inadequate staffing to investigate civil penalties,

1 and if we could just expand that to add other
2 programmatic activities?

3 DAN MONROE: Yes, that would be fine, Rosita.

4 ROSITA WORL: Okay. Eric, is that – can we do
5 that?

6 ERIC HEMENWAY: Yes, that's fine.

7 ROSITA WORL: Okay. Are there any other
8 comments?

9 Is the committee ready to accept this report
10 with that one recommendation? Do I have a motion
11 to accept the Review Committee – the report to
12 Congress with the amendment?

13 **REVIEW COMMITTEE MOTION**

14 DAN MONROE: So moved.

15 SONYA ATALAY: I would make a motion.

16 ROSITA WORL: We have a motion. Is there a
17 second?

18 SONYA ATALAY: I'll second.

19 DAN MONROE: Second.

20 ROSITA WORL: All right. We have a motion made
21 by Dan and second by Sonya to approve of the Review
22 Committee report to Congress for 2009 with the
23 addition of inadequate staffing for other
24 programmatic activities. All those in favor
25 signify by saying aye.

1 SONYA ATALAY: Aye.

2 DONNA AUGUSTINE: Aye.

3 ALAN GOODMAN: Aye.

4 ERIC HEMENWAY: Aye.

5 DAN MONROE: Aye.

6 ROSITA WORL: Aye.

7 MERVIN WRIGHT, JR.: Aye.

8 ROSITA WORL: Those opposed say no.

9 That motion is adopted. We will complete that
10 report to Congress for 2009.

11 **REVIEW COMMITTEE'S REPORT TO CONGRESS FOR 2010**

12 ROSITA WORL: The next action item is the
13 Review Committee report to Congress for 2010.
14 We've already heard one recommendation, one barrier
15 to be included. I had sent a note out to the
16 Review Committee members, and I didn't see a lot of
17 people jumping up to volunteer. Using the
18 prerogative of the Chair, I would like to appoint
19 Alan Goodman and then assisted by Donna Augustine,
20 while she is still on the board. So if there are
21 no objections to that -

22 ALAN GOODMAN: Rosita, this is Alan, not
23 objecting but could you tell me when the 2010
24 report draft would be due?

25 ROSITA WORL: We're hoping to have it for our

1 November meeting, November 17-19, but we would like
2 to have it, you know, a week or so before that
3 time. So you would have until November.

4 ALAN GOODMAN: Okay.

5 DONNA AUGUSTINE: Okay.

6 DAN MONROE: Rosita?

7 ROSITA WORL: Yes.

8 DAN MONROE: This is Dan, just going back to
9 the 2009 report briefly; can we refresh our memory
10 as to whom receives this report? And secondly I
11 would recommend that we attach an executive summary
12 to the report, something I don't think we've done
13 previously.

14 ROSITA WORL: Okay. David, could you brief us
15 on who will receive this report?

16 DAVID TARLER: Yes, Madam Chair, this 2009
17 report to Congress will go to the appropriate
18 Senate and House committees and will be posted on
19 the National NAGPRA Program website. As you know,
20 all of the Review Committee's reports to Congress
21 are posted on our website.

22 ROSITA WORL: Okay. Dan?

23 DAN MONROE: Yes, I'd like to suggest that the
24 executive summary be one which is – provides
25 perhaps a one-page or page-and-a-half overview of

1 the report, which means that it will have to be
2 pretty concise, but I think that would be
3 particularly helpful unless somebody objects.

4 ROSITA WORL: Are there any objections to
5 providing an executive summary?

6 SHERRY HUTT: Madam Chair?

7 ROSITA WORL: Yes, Sonya.

8 SHERRY HUTT: This is Sherry.

9 ROSITA WORL: Oh, Sherry.

10 SHERRY HUTT: Would you mind if I worked –
11 since Eric was your author on this, would you mind
12 if I worked with Eric to produce that executive
13 summary? And then what we would anticipate is
14 having this printed up on some nice paper, you
15 know, color, so it stands out in the daily mail
16 that is received by the members of Congress. And
17 that of course the *Journeys to Repatriation* will be
18 attached to it so it will be a nice package. So
19 the executive summary would make a very nice cover
20 sheet, and if you would give me the permission to
21 work with Eric on that as we package this for
22 production, that would – maybe we could work
23 together on that and get it out.

24 ROSITA WORL: Are there any objections to
25 Sherry working with Eric?

1 Hearing no objections, we'll go ahead and do
2 that, Eric and Sherry. And then of course we'll
3 send it out to the Review Committee members, as
4 well as Congress, right?

5 DAVID TARLER: Absolutely.

6 ROSITA WORL: Okay. All right. Our third
7 action item is the Tennessee Division of
8 Archaeology disposition request. Go ahead. Let's
9 provide an overview of that, David.

10 REQUESTS BY MUSEUMS AND FEDERAL AGENCIES THAT THE
11 REVIEW COMMITTEE ACT ON AN AGREEMENT CONCERNING
12 HUMAN REMAINS DETERMINED TO BE CULTURALLY
13 UNIDENTIFIABLE

14 OVERVIEW: TENNESSEE DIVISION OF ARCHAEOLOGY

15 DAVID TARLER: Madam Chair, the Tennessee
16 Division of Archaeology has possession and control
17 of Native American human remains from the Fewkes
18 site. The Division of Archaeology has determined
19 that those human remains are culturally
20 unidentifiable. They have also determined that
21 those human remains were removed from land that is
22 the aboriginal land of three Indian tribes.

23 The request today must comply with the
24 requirements of the rule that became effective on
25 May 14, 2010, and codified at 43 CFR 10.11 on the

1 disposition of culturally unidentifiable Native
2 American human remains that were removed from
3 tribal lands and aboriginal lands.

4 The request of the Tennessee Division of
5 Archaeology is that those human remains be
6 reinterred according to Tennessee state law, and in
7 order for the Tennessee Division of Archaeology to
8 proceed with this intended reinterment, it must
9 comply with two elements of 43 CFR 10.11 (c). The
10 first is to show evidence that they have offered
11 the transfer of control to the three aboriginal
12 land tribes, and second of all that they provide
13 evidence to show that none of the aboriginal land
14 tribes objects to the reinterment of those human
15 remains. That request is being made today by the
16 Tennessee Division of Archaeology.

17 Yesterday afternoon I received three documents
18 from them. Those three documents are letters from
19 the three aboriginal land tribes, and also I – we
20 have prepared in the National NAGPRA Program,
21 through Jaime Lavallee, a draft Notice of Inventory
22 Completion in the event that the Review Committee
23 makes a recommendation to the Secretary of the
24 Interior to go forward with the reinterment and the
25 Secretary of the Interior recommends that the

1 reinterment occur.

2 On the phone with us are representatives from
3 the Tennessee Division of Archaeology, and Michael
4 Moore, the State Archaeologist and Director, is
5 with us. There are other presenters as well, and I
6 will let him introduce those speakers.

7 ROSITA WORL: If I may, this request was
8 (comment inaudible) Review Committee, and I know
9 we've all had an opportunity to review the
10 material, so (comment inaudible) and then ask any
11 questions. So Mr. Moore.

12 MICHAEL MOORE: Yes, I'm here.

13 ROSITA WORL: Go ahead.

14 MICHAEL MOORE: Can you hear me okay?

15 ROSITA WORL: Yes.

16 **PRESENTATION: TENNESSEE DIVISION OF ARCHAEOLOGY**

17 MICHAEL MOORE: Okay. What would - I'll just
18 answer whose in the room with me, and then I think
19 I'll let the other presenters, I'll introduce them.
20 Hopefully they're on the phone. I have Fran
21 Wallace who is legal counsel with the Department of
22 Environment Conservation, and I also have Jennifer
23 Barnett who is the Tennessee SHPO Archaeologist. I
24 also have on the line representatives of the
25 Muscogee (Creek) Nation. I believe Johnnie Jacobs

1 and Emman Spain are on, and hopefully Kirk Perry
2 with the Chickasaw Nation is also on.

3 ROSITA WORL: Thank you very much. Do you have
4 any comments to offer before we open it up for
5 questions?

6 MICHAEL MOORE: No, ma'am, just that this is –
7 I do remember – I brought this up before the May
8 2008 Review Committee meeting and some of you were
9 a part of that. The only issue at that time was
10 some additional consultation, requested by you,
11 with the Muscogee (Creek) Nation. That
12 consultation has been completed, and we have an
13 agreement. We are in agreement that this reburial
14 proceed as proposed, and we have also received the
15 letters from the aboriginal land tribes, so I think
16 we're ready to go.

17 ROSITA WORL: Okay. Great.

18 **REVIEW COMMITTEE QUESTIONS AND DISCUSSION**

19 ROSITA WORL: Does the Review Committee members
20 have any questions?

21 DONNA AUGUSTINE: I have a question on the
22 aboriginal land tribes. This is Donna Augustine.

23 ROSITA WORL: Go ahead, Donna.

24 DONNA AUGUSTINE: Okay. Are the aboriginal
25 land tribes, are they – I know in the state of

1 Tennessee there's not many federally recognized
2 tribes if any, so are they federally recognized?

3 MICHAEL MOORE: Yes, we have no tribal lands in
4 Tennessee, but on – the historical land tribes
5 we're talking about are the Eastern Band of
6 Cherokee Indians, the Cherokee Nation of Oklahoma,
7 and the United Keetoowah Band of Cherokee Indians,
8 and they're all federally recognized.

9 DONNA AUGUSTINE: Okay. So the tribes agreed
10 with this reburial?

11 MICHAEL MOORE: Yes, ma'am.

12 DONNA AUGUSTINE: This way?

13 MICHAEL MOORE: Yes, ma'am.

14 DONNA AUGUSTINE: Okay. I just wanted to make
15 sure about that.

16 MICHAEL MOORE: They were in agreement two
17 years ago, and they're still in agreement now.

18 CORKY ALLEN: This is Corky Allen, and I would
19 like to comment in on the aboriginal tribes.

20 ROSITA WORL: Go ahead, Corky.

21 CORKY ALLEN: Well, in knowing some of the
22 individuals that actually crafted the language of
23 NAGPRA, the use of the adjudication of lands
24 through the Indian Claims Commission was –
25 basically it don't work for the Southeast. And the

1 Cherokee entered into Tennessee in the early 18th
2 Century. Now, I'm calling from Chattanooga. They
3 didn't physically occupy this area until about
4 1776-75, and then the removal was in 1838, so
5 that's approximately 74 years, the lifetime of a
6 human being.

7 Now, around the Nashville area, which is the
8 point of the issue, is that they never really
9 physically occupied those areas but they were
10 adjudicated those lands much like northern Alabama.
11 They never physically occupied northern Alabama
12 until something like 1780, 1790, and then again
13 they're removed. So what I'm saying is less than
14 50 years in northern Alabama, less than 100 years
15 particularly in this area of Tennessee. Now, that
16 doesn't work in as far as arriving at cultural
17 affiliation.

18 Now I was a part of the first consultation
19 meeting with the same individuals on the phone.
20 I'm also on the Tennessee Archaeological Advisory
21 Council —

22 MICHAEL MOORE: But Corky, you don't speak for
23 the state.

24 CORKY ALLEN: No, I don't.

25 MICHAEL MOORE: You can't say that you speak

1 for the state.

2 CORKY ALLEN: But I –

3 MICHAEL MOORE: I agree only – we've heard your
4 comments before.

5 DAVID TARLER: Madam Chair, this is the DFO.
6 As you can see from the agenda, the original agenda
7 had Mr. Allen making a presentation prior to the
8 request by the state – by the Tennessee Division of
9 Archaeology. And so just for clarification,
10 Mr. Allen is not speaking right now as part of the
11 request of the Tennessee Division of Archaeology.

12 ROSITA WORL: I guess we need to clarify from
13 Mr. Allen, are you objecting to the recommendation
14 for the disposition and the reburial –

15 CORKY ALLEN: To the Muscogee (Creek) Nation,
16 yes. Now the claim, initial claim that was made
17 for the remains in 2008 was for the Yuchi Tribe,
18 which was the (comment inaudible) –

19 DAVID TARLER: Madam Chair, this is the DFO
20 again.

21 ROSITA WORL: Yes, David.

22 DAVID TARLER: As point of clarification,
23 Mr. Moore had introduced other speakers that were
24 accompanying the request, and they have not had an
25 opportunity to speak yet.

1 ROSITA WORL: I would like (comment inaudible).

2 DAVID TARLER: And I would also like to make a
3 clarification of fact, and that is that we are not
4 talking about a disposition to any tribe and
5 certainly not a disposition to the Muscogee (Creek)
6 Tribe. We are talking about a reinterment,
7 pursuant to 43 CFR 10.11 according to Tennessee
8 state law, of Native American human remains that
9 have come from lands that are the aboriginal lands
10 of the three tribes that Mr. Moore had identified.

11 ROSITA WORL: All right. Let's go ahead and
12 hear from those representatives.

13 EMMAN SPAIN: Madam Chair?

14 ROSITA WORL: Yes.

15 EMMAN SPAIN: This is Emman Spain. I'm with
16 the Muscogee (Creek) Nation, Interim Manager for
17 the Cultural Preservation Department. We had sent
18 a letter to Mr. Moore, the Second Chief, on March
19 the 4th of 2010, and we were in full support of the
20 reburial plan by the state and by the Chickasaw
21 Nation. That's our position as it is right now.

22 ROSITA WORL: And that's the action that we're
23 going to deal with today is that reburial.

24 EMMAN SPAIN: Yes, we're in full support of
25 reburial.

1 ROSITA WORL: Great. All right.

2 EMMAN SPAIN: Thank you.

3 ROSITA WORL: All right. Do we have any
4 further comments? Do we have any further comments?
5 Are we – do we – does the Review Committee, do
6 they have any questions?

7 SONYA ATALAY: This is Sonya Atalay. I have a
8 question.

9 ROSITA WORL: Who is this?

10 SONYA ATALAY: This is Sonya Atalay.

11 ROSITA WORL: Go ahead, Sonya.

12 SONYA ATALAY: Yes, I'm just wondering if we
13 could have some clarification again about this. I
14 think I'm a little confused, and I'd also like
15 clarification on 10.11. According to 10.11, we
16 need the agreement and no objection from tribes
17 that have aboriginal land or we need no objection
18 from any tribes that are claiming the remains
19 (comment inaudible).

20 STEPHEN SIMPSON: Sonya, Madam Chair, this is
21 Stephen Simpson. The – Sonya, the rule says that
22 we need – you need a statement of no objection from
23 federally recognized tribes from whose tribal land
24 the remains were excavated. As was noted here,
25 there are no federally recognized tribes with

1 tribal land in the state of Tennessee. You have
2 letters and the statement from the aboriginal
3 tribes, and you have no objection from any of them.

4 ROSITA WORL: So we have no objection – no
5 objection from the tribes on the reburial.

6 STEPHEN SIMPSON: Correct.

7 ROSITA WORL: Okay. Is the Review Committee
8 ready to act hearing that we don't have any
9 objection? Do I have a motion to recommend
10 reburial, to recommend to the Secretary approval
11 for the reburial?

12 SONYA ATALAY: This is Sonya again. I have a
13 further question.

14 ROSITA WORL: Go ahead, Sonya.

15 SONYA ATALAY: I'm still confused. So I want
16 to make sure that there – I understand we have no
17 objection from the aboriginal land tribes, but I'm
18 trying to understand, is there an objection from a
19 tribal group or a tribal community that's involved
20 but that isn't an aboriginal land tribe?

21 STEPHEN SIMPSON: Not a federally recognized
22 tribe. The Yuchi are not federally recognized.

23 MICHAEL MOORE: This is Mike Moore. The
24 Chickasaw Nation has agreed to conduct this
25 reburial for us, and they're in full support. The

1 Muscogee (Creek) Nation is in support with the
2 letter from March 2010 from Second Chief Berryhill.
3 So that may – hopefully that will clarify a little
4 bit.

5 ROSITA WORL: Does that answer your question,
6 Sonya?

7 SONYA ATALAY: It does. Thank you.

8 ROSITA WORL: Okay. So are we ready – is the
9 Review Committee ready to act to make this
10 recommendation to the Secretary of Interior on the
11 reburial of the funerary – the human remains and
12 funerary objects? Do we have a motion?

13 **REVIEW COMMITTEE MOTION**

14 ALAN GOODMAN: This is Alan. I so move.

15 ROSITA WORL: We have a motion made by Alan.
16 Is there a second to that motion?

17 ERIC HEMENWAY: I second that motion.

18 ROSITA WORL: Is that Eric?

19 ERIC HEMENWAY: Yes.

20 ROSITA WORL: Okay. We have a motion made and
21 seconded. Are there any further comments?

22 Hearing no further comments, are we ready for
23 the question? All those in favor signify by saying
24 aye.

25 SONYA ATALAY: Aye.

1 DONNA AUGUSTINE: Aye.

2 ALAN GOODMAN: Aye.

3 ERIC HEMENWAY: Aye.

4 DAN MONROE: Aye.

5 ROSITA WORL: Aye.

6 Those opposed say no. That motion is adopted.
7 We will make that recommendation to the Secretary
8 of Interior for the reburial of human remains and
9 funerary objects to be reinterred by the Chickasaw
10 Nation.

11 MERVIN WRIGHT, JR.: Excuse me, Madam Chair,
12 this is Mervin Wright.

13 ROSITA WORL: Go ahead, Mervin.

14 MERVIN WRIGHT, JR.: I did not vote in that.
15 I'm going to abstain from that vote, just for the
16 fact that, you know, what was stated earlier about
17 the Indian Claims Commission map and that, you
18 know, it indicates no land base in the state of
19 Tennessee. I mean, this is again one of the
20 formalities of the law, of the whole legal system
21 of the United States when they're using the Indian
22 Claims Commission, it's like they're acknowledging
23 — we're acknowledging the aboriginal tribes but,
24 you know, legally speaking we have really no basis
25 to stand to say that those tribes actually have

1 land in Tennessee. So I'm abstaining, not as an
2 objection, but just as a concern that this is one
3 of those gray areas in the law that concerns me.
4 Thank you.

5 ROSITA WORL: Okay. That abstention will be
6 noted for the record, and so that motion does pass.
7 But I would like to recommend that we add this
8 issue as an agenda item for further discussion and
9 clarification so that we can all have a better
10 understanding of this issue.

11 DAVID TARLER: Thank you, Madam Chair. This is
12 the DFO, and I would like to note for the record
13 that this is the very first action being taken on
14 any aspect of 43 CFR 10.11.

15 ROSITA WORL: Thank you.

16 MICHAEL MOORE: This is Michael. I just want
17 to say thank you.

18 ROSITA WORL: Thank you very much, and thank
19 you for all of your great work and thank the tribes
20 who – the southern tribes you contacted and the
21 four that indicated their support. Thank you very
22 much.

23 MICHAEL MOORE: Thank you.

24 **DATES AND LOCATIONS OF THE CY 2011 REVIEW COMMITTEE**
25 **MEETINGS**

1 ROSITA WORL: The next action item is the dates
2 and location of the 2011 Review Committee meetings.
3 And we are – we are open for recommendation. For
4 your information, what I did was I divided the
5 state – the U.S. into five regions: Northeast,
6 Southeast, Northwest, Southwest, and the Central
7 area. And what I noted is that we were probably
8 due to have meetings in the Northeast and in the
9 Central area, just from the past meetings we've
10 had. And I wanted to also note that we had been
11 invited to go to the Northeast area and for some
12 reason we ended up in Sarasota, FL. So you know, I
13 guess I am recommending that we look at the
14 Northeast area and the Central area.

15 SHERRY HUTT: Madam Chair, this is Sherry. If
16 I could give you all an update as you head into
17 this discussion, there was an invitation from the
18 Haudenosaunee Standing Committee to bring the
19 Review Committee to Syracuse. And the reason we
20 didn't go there in the fall is they wanted to give
21 the invitation, which you all wanted to take them
22 up on or you had indicated that you were favorably
23 disposed to going there, but not in the fall
24 because they had conflicts with ceremony occurring
25 in the fall. So that's why we went to Florida,

1 because that was your second choice. You had
2 indicated Florida as the back-up choice, so we went
3 ahead and scheduled Florida last fall.

4 And we had been in communication with the
5 Haudenosaunee for the spring and they were looking
6 toward June of '11, and they were having logistical
7 difficulty finding a place and working things out.
8 It appears now that the law school is a venue that
9 would be usable, but of course there are other
10 details like housing and finding suitable places
11 that are good for all those who come to meetings
12 and need the variety of access to the meeting
13 points. So the question then would be and your
14 direction to us, do you want us to continue to
15 follow through with the Haudenosaunee looking
16 toward a date in June? Do you have other venues
17 that you want us to consider? Is there a back-up
18 venue? Given that set of circumstance and where we
19 are now, we look for your direction.

20 ROSITA WORL: (Comment inaudible.) We're
21 having some feedback, and I'm wondering where
22 that's coming from and can we take care of that
23 somehow? Hello?

24 DAN MONROE: Yes.

25 ROSITA WORL: Are we all online?

1 MERVIN WRIGHT, JR.: Yes, I'm here. This is
2 Mervin. I'm here.

3 ROSITA WORL: Okay. So we have an invitation
4 as Sherry outlined. Is that - would the committee
5 be amenable to accepting that invitation for the
6 first - for the spring meeting or summer meeting?

7 DONNA AUGUSTINE: Madam Chair?

8 ROSITA WORL: Donna.

9 DONNA AUGUSTINE: I'd also like to just remind
10 the committee too that the Passamaquoddy Tribe had
11 invited the Review Board Committee to come to the
12 state of Maine as well. So I guess there's no big
13 rush but just to think about that as well.

14 ROSITA WORL: Okay. What's the wish of the
15 committee? We have two identified areas for the
16 Northeast area. Anyone have a recommendation?

17 MERVIN WRIGHT, JR.: Well, I think - this is
18 Mervin - the discussion that Sherry had mentioned
19 is that there are still some details that need to
20 be worked out. And I think she suggested a plan B,
21 I guess that would be the Maine - the Maine
22 invitation. And I would also just like to throw
23 out that if we can think about northern Nevada as
24 an option that that would be something that I would
25 be willing to accommodate and try to schedule

1 accommodations here in the Reno area.

2 ROSITA WORL: Okay. I guess that would fit in
3 with the kind of Central area then, the Reno,
4 Nevada.

5 MERVIN WRIGHT, JR.: It would.

6 ROSITA WORL: Okay. So we have the – Sherry,
7 are you saying that there's a problem with us going
8 to the Haudenosaunee area?

9 SHERRY HUTT: Well, they're making – there are.
10 They're working very hard to work out logistical
11 issues, and of course we've been working with them
12 over the last three or four months. And you know
13 we like to give advance notice. So I don't want to
14 – you know, while their invitation is most
15 gracious, I don't want to put them in a very
16 difficult situation if once they check into the
17 logistics it became very difficult. So if you do
18 give me a plan B then that might be good as I – as
19 we work through this with the Haudenosaunee. And
20 that way if they're unable to really meet all the
21 needs then we can make a quick change.

22 ROSITA WORL: Right. So it looks like then we
23 would try to go to the Haudenosaunee as plan A, and
24 then the B would be to go to Passamaquoddy, and
25 then the third – and then for our second meeting

1 would be Reno, Nevada. Any discussion on that
2 recommendation?

3 SONYA ATALAY: I agree that that – this is
4 Sonya. I agree with what they just planned.

5 ROSITA WORL: Any other comments? Are there
6 any objections to that plan?

7 (Inaudible comments.)

8 DAVID TARLER: Madam Chair, I know that we have
9 had extensive discussions with the Haudenosaunee
10 Standing Committee about the spring 2011 meeting,
11 but we haven't had any discussion about possible
12 dates for the fall 2011 meeting.

13 ROSITA WORL: (Comment inaudible) location then
14 we'll talk about dates. So are there any
15 objections to those two – to the plan A and plan B
16 for the first one and then the second one in
17 Nevada?

18 If there are no objections to that, we'll give
19 that direction to Sherry to begin working on
20 identifying or finding the right facilities for us.
21 Okay.

22 We need to talk about the dates. We have – I
23 guess the first one is – we don't know that yet,
24 the June meeting, but how about in the fall?

25 SHERRY HUTT: Yes, if you could give us your

1 date parameters. You're coming in November of '10.
2 What's your druthers for '11?

3 ROSITA WORL: Are there any objections to
4 having it in mid-November again since we're having
5 this one in mid-November?

6 Why don't we go ahead and plan for mid-
7 November, and then, Sherry, you could keep us
8 informed and work out everybody's schedule to see
9 if those dates – what dates work best for the
10 Review Committee members.

11 SHERRY HUTT: For Nevada.

12 DONNA AUGUSTINE: And yes, Madam Chair. Can I
13 say something about that?

14 ROSITA WORL: Go ahead, Donna.

15 DONNA AUGUSTINE: It will probably be pretty
16 cold in mid-November in Maine, so if you wanted to
17 have it in Nevada that's fine for the fall, for the
18 November one. Maybe after that at some point you
19 could have it in June in the state of Maine.

20 ROSITA WORL: Right. Thank you. That is part
21 of the first plan.

22 DONNA AUGUSTINE: Okay.

23 ROSITA WORL: Okay. So we're all set on the
24 Review Committee meetings for 2011, and Sherry will
25 keep us apprised as she narrows the dates.

1 So our next agenda item – action item would be
2 Dan Monroe's statement, and I think that should be
3 under tab 7.

4 Dan, do you want to comment on your statement?

5 DAN MONROE: Sure.

6 ROSITA WORL: Go ahead.

7 **ISSUES SURFACED IN THE STATEMENT BY DAN MONROE,**
8 **OUTGOING CHAIR, NAGPRA REVIEW COMMITTEE (MAY 14,**
9 **2010)**

10 DAN MONROE: I filed this statement in the
11 spirit of an effort to constructively strengthen
12 the National NAGPRA Program. I understand that it
13 was very candid and straightforward, which was my
14 intent, and I hope we can have an open discussion
15 about a number of the topics framed in terms not of
16 whatever dissatisfactions we may have, if anyone
17 else shares some of the perceptions that I
18 articulated, but rather in terms of desired goals
19 and outcomes for the National NAGPRA Program framed
20 in a positive sense. So with that, I'll leave it
21 open for discussion.

22 ROSITA WORL: Thank you, Dan. I reviewed your
23 statement, and from my review of it I identified
24 four recommendation areas. And if there are no
25 objections maybe I could proceed with that. And if

1 others have additional thoughts or recommendations
2 that they saw from Dan's statement, we could
3 entertain them.

4 But as I reviewed your statement I saw that
5 the first recommendation deals with an evaluation
6 system – that the program would initiate an
7 evaluation system to be completed by constituents
8 to help guide improvements in written
9 communication. Are there any discussions around
10 this recommendation?

11 DAN MONROE: Let me just say that I think that
12 I attempted to recognize the complexity of dealing
13 with legal issues and being clear and concise and
14 in many instances quite precise. At the same time,
15 I believe that it's critically important to
16 recognize that museums and federally recognized
17 tribes and Native Hawaiian organizations seldom
18 have legal counsel at hand. And it's especially
19 critical therefore to make sure that communications
20 that are sent in writing to tribes and respond to
21 issues, questions, or concerns be articulated in
22 such a way that they're clear, they're in
23 understandable English, and most importantly that
24 the measure of success be not whether or not
25 communications have been sent but whether or not

1 they've been readily understood on whole or on
2 average by recipients. And that's the nature of
3 the intent of the statement.

4 ROSITA WORL: I think there's always, always
5 room for improvement. And maybe what we could do
6 is maybe I could go through the recommendations
7 that I saw here and then maybe have our NAGPRA
8 Program review them and at our next meeting bring
9 us a report as to how they could – they see that
10 they can be responsive to these recommendations.

11 DAN MONROE: That would be great.

12 ROSITA WORL: Okay. So the second
13 recommendation that I saw was that the National
14 Program should develop a written outline of the
15 decision-making processes to federally recognized
16 tribes and Native Hawaiian organizations, museums,
17 scientific organizations, and Federal agencies.

18 And then the third recommendation I saw was to
19 increase the communication to the Review Committee
20 members between meetings so that we can carry out
21 our responsibilities. And I was looking at maybe
22 monthly reports or quarterly reports. But let's
23 have the program look at that and give us a report
24 on that.

25 And then the other recommendation that – and I

1 feel very strongly about, is that the Review
2 Committee recommends that we have at a minimum two
3 face-to-face meetings per year. So if – does
4 anyone else have any comments on the statement?

5 MERVIN WRIGHT, JR.: Madam Chair, this is
6 Mervin.

7 ROSITA WORL: Mervin. Go ahead, Mervin.

8 MERVIN WRIGHT, JR.: Just kind of going back to
9 what Dan was commenting about with regard to legal
10 representation. I guess this question is for the
11 National Program. Is there some requirement that
12 states that a tribe has to have legal counsel
13 representing their interest in a NAGPRA claim?

14 CARLA MATTIX: No. This is Carla. There's no
15 requirement for that.

16 MERVIN WRIGHT, JR.: Why – I mean, this is
17 where I think some of the frustrations develop with
18 tribes is that these issues are pushed into that
19 legal forum where tribes, you know, more or less
20 have to retain legal counsel in order to deal with
21 the bureaucracy that comes out of the agency.

22 ROSITA WORL: Mervin, I agree with that. It
23 just – you know, it's become so legalese now that I
24 think – and I even myself I'm finding difficulties
25 understanding things. So I think this kind of

1 evaluation of our communication between tribes – or
2 with tribes and with museums, you know, might help
3 us out if we could recommend that the program do
4 this kind of evaluation, so that we could try to
5 avoid that kind of problem.

6 MERVIN WRIGHT, JR.: Thank you.

7 ROSITA WORL: Uh-huh. Does anyone have any
8 comments on those recommendations? I outlined the
9 four recommendations.

10 SHERRY HUTT: Madam Chair, this is Sherry.

11 ROSITA WORL: Yes.

12 SHERRY HUTT: With regard to one and two, the –
13 let me start with the easy ones. Increasing
14 communications with the Review Committee, if you
15 would advise us actually now whether you want
16 monthly updates, quarterly updates, you know,
17 whatever frequency of update you want, then we'll
18 just do that, so that we can resolve actually at
19 this time.

20 As to the two face-to-face meetings for the
21 calendar year FY11, it appears that barring
22 something unforeseen that will occur. So your –
23 that's where we're headed, anyway, is to the two
24 face-to-face meetings. And let me say that having
25 telephonic meetings was not our first choice or our

1 second choice, but that's where we are. By meeting
2 in the fall in DC we cut sufficient costs that
3 meeting elsewhere in the spring meeting is doable.
4 For the fall meeting in calendar year '11, which
5 will be Fiscal Year '12, we will also have that at
6 a location as you desire, and we'll see what the
7 budget issues are in FY12. I don't know what
8 they'll be, but I do know what they're going to be
9 for '11. And so I can represent at this time that
10 it looks good that calendar year '11, we will
11 accommodate the face-to-face meetings and we
12 recognize, as you do, how difficult it is to
13 conduct business over the phone, and we appreciate
14 the accommodation that you have given and we truly
15 understand and emphasize with the difficulty.

16 So those are two of your items, as to the
17 other two, if you could assign a subcommittee of
18 the Review Committee to work with us to sort of
19 flesh out the homework assignment and the survey
20 to, you know, get us going in the direction that
21 you all feel is appropriate. Of course, before we
22 actually launch anything we could certainly give it
23 to the Chair so that you could look at it before we
24 do it. But I would really like to have a – if you
25 would, a subcommittee of the Review Committee to

1 communicate with as we design this. So those are
2 my comments on the four suggestions.

3 ROSITA WORL: Okay. Well, why don't we do it
4 this way, let us formalize these four
5 recommendations with the understanding that at
6 least for 2011, we will have two meetings. But I
7 think it's something that we need to go on record
8 is that we want to have two face-to-face meetings,
9 you know, in the future, not just for 2011. And
10 that would be – you know, you could provide us that
11 response. And then the monthly report or the
12 reports, why don't we go ahead and start off with,
13 let's say, quarterly reports, but then if there are
14 emergency issues or red-flag issues, you know, that
15 we communicate immediately with the Review
16 Committee. So can we – let's formalize that and
17 get that into the record as a motion. Would
18 someone like to make that motion?

19 **REVIEW COMMITTEE MOTION**

20 ALAN GOODMAN: This is Alan. I'll make that
21 motion.

22 ROSITA WORL: Okay. We have that motion made.
23 Is there a second to that?

24 MERVIN WRIGHT, JR.: Second. This is Mervin.

25 ROSITA WORL: Okay. Motion made and seconded.

1 Any further discussion? All those in favor signify
2 by saying aye.

3 SONYA ATALAY: Aye.

4 DONNA AUGUSTINE: Aye.

5 ALAN GOODMAN: Aye.

6 ERIC HEMENWAY: Aye.

7 DAN MONROE: Aye.

8 MERVIN WRIGHT, JR.: Aye.

9 ROSITA WORL: Aye.

10 Those opposed say no. That motion has been
11 adopted.

12 I think that is all the action items that I
13 identified. Mr. DFO, are there other action items
14 that we should address that I didn't note?

15 SONYA ATALAY: Just, this is Sonya quickly, if
16 I could make a comment.

17 ROSITA WORL: Go ahead, Sonya.

18 SONYA ATALAY: Following up on what we were
19 just talking about with these four recommendations,
20 and Sherry had requested that there be
21 subcommittees put forward to work on these, and I
22 just wanted to volunteer that I'd be willing to
23 work on one of those subcommittees.

24 ROSITA WORL: Okay, Sonya. Are there any other
25 volunteers to work on that subcommittee?

1 ERIC HEMENWAY: This is Eric. I'd like to
2 volunteer.

3 ROSITA WORL: Okay, Eric. We'll assign you two
4 to that subcommittee, and then of course I should
5 be involved as Chair.

6 SHERRY HUTT: Absolutely.

7 ROSITA WORL: All right. Thank you. Thank you
8 for bringing that up, Sonya.

9 So if – Mr. DFO, did you identify any other
10 action items?

11 DAVID TARLER: No, Madam Chair, I believe that
12 the other items on our agenda are – is a
13 presentation, and then the manager's update on the
14 National NAGPRA Program, including other items
15 being undertaken by the National NAGPRA Program
16 with other partners, and then there was another
17 matter involving a presentation that had been made
18 at the last Review Committee meeting. So we're
19 ready to proceed in whatever order you wish, Madam
20 Chair.

21 ROSITA WORL: Let's go ahead and have the
22 presentation by the Intertribal Sacred Land Trust.

23 DAVID TARLER: And a matter of clarification,
24 Madam Chair, my understanding is that Mr. Allen,
25 who is President of the Intertribal Sacred Land

1 Trust, is not making a presentation on behalf of
2 that organization.

3 ROSITA WORL: He is?

4 DAVID TARLER: Is not, Madam Chair.

5 ROSITA WORL: Okay. Is it Emman Spain?

6 JAIME LAVALLEE: Mr. Spain, are you out there?

7 EMMAN SPAIN: This is Emman Spain. I'm not
8 making any kind of presentation today. I was just
9 listening in for the Muskogee Nation.

10 ROSITA WORL: Okay. All right.

11 DAVID TARLER: Mr. Allen is making the
12 presentation, Madam Chair.

13 ROSITA WORL: Oh, Mr. Allen is.

14 DAVID TARLER: Yes.

15 ROSITA WORL: All right, Mr. Allen. Patricia
16 Capone from the Peabody Museum has withdrawn, so
17 let's go ahead with Mr. Allen. Mr. Allen?

18 Is Mr. Allen on line? Is Mr. Allen on line?

19 Well, if Mr. Allen should rejoin us at a later
20 period, maybe he could comment then. So let's move
21 on to the next agenda item which would be the rule
22 concerning the disposition of human remains and
23 cultural items discovered on Federal lands or
24 tribal lands.

25 **RULE CONCERNING THE DISPOSITION OF HUMAN REMAINS**

1 **AND CULTURAL ITEMS DISCOVERED ON FEDERAL LANDS OR**
2 **TRIBAL LANDS AFTER NOVEMBER 16, 1990, TO BE**
3 **CODIFIED AT 43 CFR 10.7**

4 SHERRY HUTT: Madam Chair, this is Sherry
5 speaking on behalf of Mr. Waldbauer who is out –
6 actually has been out all week with a significant
7 illness, and we are not ready to make that
8 presentation at this time. He is working with the
9 Federal Agency Working Group, and they're making
10 some progress, but not to the point where they are
11 prepared to bring it to you today. I think this is
12 one of those things that would be quite appropriate
13 for those quarterly, if not sooner, types of
14 ongoing presentations that you mentioned because
15 when you're working on a new rule to have it
16 presented to you all at once, rather than
17 incrementally, has been difficult and you've given
18 us feedback in that regard. So if we might move on
19 from this item today but expect that that would be
20 something where we will – that will be our poster
21 child for the ongoing developmental communication.

22 ROSITA WORL: Okay. That's fine then. Let's
23 move on then to the NAGPRA Program Manager's
24 update.

25 **NATIONAL NAGPRA PROGRAM MANAGER'S UPDATE**

1 SHERRY HUTT: Madam Chair, thank you very much.
2 You all received an update. It was in a different
3 form than we have given you in the past when we've
4 given you a formal mid-year and then final reports.
5 This was somewhat in response to the committee
6 hearing that occurred last October where we
7 received the feedback that having all the
8 statistics was confusing at times. And so rather
9 than do two formal reports a year, which is also a
10 workload issue, we will give you a final report
11 with all the statistics at the end of the year but
12 give you these updates. And of course if we are
13 going to communicate more often we'll have shorter
14 one- to two-page updates and then a longer update
15 at any time that we have a Review Committee.

16 I should say that for the meeting in November
17 you can expect a rather comprehensive report.
18 Since it is the 20th anniversary of NAGPRA, it is
19 our intention as a program to create a report
20 that's much like the grants retrospective, the
21 *Journeys to Repatriation*, where we give you the
22 recent and the historic information to put it in
23 context, information from the Federal agencies and
24 museums to the extent that we can capture that
25 information, and give you something that is

1 hopefully user-friendly and with a lot more depth
2 than you normally receive in these short reports.
3 So that's where we're headed for November.

4 So what you have now is the sort of status of
5 the program as of May 31. We also have some people
6 present here in the room who are working on various
7 reports as we go through. So I suppose I could
8 recap some of this or I can respond to questions
9 you may have of what you received, whatever works
10 best for you.

11 ROSITA WORL: Why don't we open it up for
12 comments by the Review Committee members?

13 SONYA ATALAY: This is Sonya. I'd like to
14 comment.

15 ROSITA WORL: Go ahead, Sonya.

16 SONYA ATALAY: First, I just want to thank the
17 National NAGPRA Program for this report. I found
18 it really helpful, very easy to read, and I really
19 enjoyed having it and having this update. So I
20 want to say thanks, first of all. And I do have a
21 few questions that I've kind of outlined. I don't
22 know if you want to -

23 ROSITA WORL: Let's go ahead and go through
24 them, Sonya.

25 SONYA ATALAY: Sure. So starting on page 1

1 under the Regulations, the – it was written that
2 there were a number of comments on the rule. There
3 were three notable exceptions that are written
4 here. And they're bullet pointed. I'm just
5 wondering if we can have an update as to what will
6 happen with these three points.

7 SHERRY HUTT: Yes, Sonya. Thank you. They're
8 – the one that deals with associated funerary
9 objects, which was an item that the Review
10 Committee discussed as well, we received quite a
11 bit of information in the comments. Some of them
12 almost rising to the level of a legal memo. A lot
13 of information, a lot of time was spent by
14 commenters in accumulating that information. There
15 was information from the Review Committee. You all
16 discussed it at length. And our thought here is to
17 package all that up and give it to counsel so that
18 they can put their heads together and give it all
19 another look and look at it in the context of all
20 the lawyers in the Department of the Interior from
21 whom we get our guidance and have them take a
22 significant look at it. And that's a good,
23 productive thing to occur as a result of these
24 comments. So that's where we're going with that.

25 As to the time limit and the civil penalty,

1 those are really discreet comments that build
2 themselves nicely into amendments to the
3 regulation. So those are at the top of the list of
4 what we are developing as amendments to the rule.
5 And of course when we see you in November, we hope
6 to have a number of draft amendments to the rule
7 moving through the process. So those all – those
8 were items that – or at least the time to complete
9 the consultation, the rule – the 10.11 rule talks
10 about beginning consultation and then you all gave
11 us a time parameter for conclusion. And using what
12 you gave us and using that as the substance of the
13 rule, we will package that as an amendment and put
14 it through in the first wave of amendments that we
15 will run through the regulatory rulemaking process.
16 So we're very pleased to have that kind of input.

17 ROSITA WORL: Does that answer that question,
18 Sonya?

19 SONYA ATALAY: Thank you very much.

20 ROSITA WORL: Do you have any other questions?

21 SONYA ATALAY: Sure. I'll move onto the next
22 question, which is on page 2 under Databases. I'm
23 glad to see that there's work being done on the
24 databases. One of my questions that I've heard
25 repeatedly is frustrations from museums, those who

1 work in museums, are about this database, the
2 consultation database not having the most up-to-
3 date information and how it could be a challenge
4 for them in terms of doing their work in a timely
5 manner, and I'm just wondering. I know that there
6 was a date written on here as to when it was last
7 updated, but I'm wondering when the last time it
8 was comprehensively reviewed to make sure that
9 those key people, the contact people are actually
10 correct and still in their position. I'm sure it's
11 a lot to undertake to do that but I just wondered
12 does that key information, when that - if that's
13 happened and if not if we could suggest that it's
14 something that's done.

15 SHERRY HUTT: We hear you. We hear you loud
16 and clear. This gets back to the 2009 Report to
17 Congress where you so generously commented on
18 workload issues. The database department in the
19 National NAGPRA Program is one person, and the one
20 person's job is to be the administrator of the six
21 databases. But we are in a position where we are
22 inputting the data sometimes in some of the
23 databases for the first time. So we're in a
24 building mode, as well as an ongoing management
25 mode. And within the last few weeks Mariah

1 Soriano, who is our database manager, concluded the
2 supervision of the contract that we had had for the
3 last 18 months with the IT firm that has built the
4 capacity that has enabled us to have these
5 additional databases. So she's both been working
6 with them as the technological interface between
7 the program and the real techies who do the
8 software writing, the program building, as well as
9 populating the database and managing the database.

10 So we recognize that the consultation database
11 needs to be updated. It is at the top of the list,
12 and it's right there with all of the other tasks.
13 We're hoping through a quiet summer that the – and
14 working with an intern that she's sharing with
15 Sangita in the grants program, that we can get the
16 input of data – and keep in mind this is data that
17 came in from 1992-3 to 2000 that was never entered
18 in the first instance. So she's entering data from
19 the hard files into the electronic files, building
20 databases, and then managing the ongoing input of
21 those databases such as when a museum sends us an
22 amended inventory. So it's happening
23 simultaneously, but I really think we're seeing
24 light at the end of the tunnel in terms of catch-up
25 and contract administration.

1 And using the Indian Affairs Tribal Leaders
2 Directory, which is updated once a year, we can put
3 a call out for updates to the NAGPRA contact from
4 each tribe, because it's the tribe that sends us
5 the information on tribal stationery that we then
6 put into the consultation database. So believe me,
7 this is something that Mariah believes, as you do,
8 is a critical, critical matter, and I would say
9 we'd be a lot further along than we are but Mariah
10 has been pulled away from all of this for the last
11 six weeks or so because she's been the techie point
12 of contact for the GAO study that has just now
13 concluded. So it really comes down to — I won't
14 say a manpower, but a peoplepower issue, and we
15 believe that we're getting a hold of it but,
16 believe me, we wish that we were further along than
17 we are. And we do sympathize and do understand and
18 concur with your comments and assessment and
19 criticism.

20 SONYA ATALAY: Thank you for that, Sherry. I
21 appreciate that, certainly appreciate the level of
22 work that Mariah and others have put in. One thing
23 that I wanted to bring up in relation to this, and
24 perhaps this is a good time to do it as it does
25 relate to other things, which is as someone who is

1 in academia and has access to students, I wonder if
2 there's a way that perhaps we could have a wish
3 list or something that students that I have who are
4 interested in taking on independent projects that
5 if you in your office could put together projects
6 or suggestions that I could then help to find
7 students, that's a way we could get some more
8 volunteer labor working on these things, and I know
9 it's good training for students as well.

10 SHERRY HUTT: You raise an excellent point, and
11 I'll tell you this summer we have 15 interns
12 working in the program. That is - these are
13 largely unpaid interns, and some of them are
14 sitting around this table smiling with us. They
15 come to us from various universities. We'll talk
16 more about them in a bit. But we do rely on that.
17 Now there is some permanent staff involvement,
18 because there's the supervision and the guidance of
19 these projects. But if you have students at any
20 time that you want to refer, we're pleased to take
21 those referrals.

22 Some things we can do and do do over long
23 distance and are conducive to doing in a distance
24 capacity. Working with the database, however,
25 requires someone to physically be in our office.

1 So if there's someone who has the time to actually
2 physically be in the office, that's what we would
3 need. And all of the interns go through security
4 clearance, so there is – it is a matter of
5 preplanning and, you know, having the
6 infrastructure to work with them, but certainly do
7 send us those students, do give us the names, we
8 really enjoy having them. And many of our interns
9 do come to us from museum people and academics who
10 spot these talents and send them our way. We're
11 very appreciative when that occurs.

12 ROSITA WORL: Any further questions, Sonya?

13 SONYA ATALAY: Sure. If I could move on to
14 page 4 at the top, there's a discussion of the
15 Culturally Unidentifiable Inventories Database.
16 And one of the sentences says this database is not
17 meant to be an exact copy of museum and Federal
18 inventory data, though an effort has been made to
19 verify the accuracy of the data presented in this
20 database. And I just wonder what kind of – if you
21 could just give a – just brief details further as
22 to what efforts are made to verify accuracy.

23 SHERRY HUTT: Yes, when the information is put
24 up, Mariah copies it either to a disk or in some
25 form, and then sends it out so that the museum or

1 Fed agency can update the data. And sometimes –
2 our backstop in this a lot of times is Jaime,
3 because Jaime will get a notice, and they haven't
4 given us an updated inventory. And if the – and
5 Jaime checks those notices against the inventory,
6 and then as a result we may get an updated
7 inventory, which Mariah will then load into the
8 system. So we're trying to make it the most
9 accurate and up-to-date. We've had agencies come
10 to us to ascertain the data because their own
11 records have gone through various things. So
12 museums, Federal agencies and tribes have all
13 relied on our data, and we consider that one of the
14 most critical products that we have is well-
15 maintained data.

16 SONYA ATALAY: Great. Thank you. My next
17 question is in the following paragraph you're
18 talking about the database where I'm just wondering
19 where – if there will be another or if there are
20 plans for a database or if this would somehow be
21 incorporated into a current database once
22 disposition occurs under 10.11 if that – there will
23 be a listing of those or how – if that will be
24 included in some sort of database.

25 SHERRY HUTT: Yes, good question. On the

1 culturally unidentifiable database currently, there
2 is a final field off to the side and that's where
3 dispositions are noted. And sometimes – and a
4 disposition can be one of several things. It can
5 be amended to culturally affiliated, that's always
6 nice to see, and then that will have a notice link
7 in that comment so that you can actually link to
8 the notice. It may be a disposition while still in
9 the category of unidentifiable but in a disposition
10 notice, and again there will be a link. There are
11 times when there has been an amendment to the
12 inventory that has indicated that the individual is
13 either not Native American or they were determined
14 not to be human remains, and so those individuals
15 would – that note would be there as well. Of
16 course, there would be a link.

17 So we don't take listings or entries off the
18 culturally unidentifiable database. There's a
19 great education to be seen by looking at those who
20 were listed as unidentifiable and have been
21 subsequently affiliated. And so at some point,
22 hopefully in the next few years, you would be able
23 then to go through and sort to see what individuals
24 did not have a disposition and we would be able to
25 sort of drill down so that, you know, you could

1 sort for those needing disposition. But for right
2 now, with 124,000 entries, we are simply entering
3 in the fields by the individual those that have had
4 a final disposition. Does that help? Is that -

5 SONYA ATALAY: That's great. I really
6 appreciate that. That sounds well thought out, and
7 it sounds like it will be really useful. That's
8 great.

9 The next question is down at the -

10 MERVIN WRIGHT, JR.: Excuse me, Sonya?

11 SONYA ATALAY: Yes.

12 MERVIN WRIGHT, JR.: Yeah, this is Mervin. I
13 just want to make a comment. Thank you, Sherry,
14 for the report, and I just want to make a note for
15 the record that in Sarasota, Florida, the number
16 was 123,337 what was listed as culturally
17 unidentifiable Native American human remains.
18 Today that number is reported as 123,483. And I
19 believe the associated funerary objects was 852,000
20 or somewhere there about, and today it's reported
21 at 925,096. So as I indicated in Sarasota,
22 Florida, this number is only increasing,
23 unfortunately for repatriation efforts, but it's -
24 I just wanted to make that note based on Sherry's
25 report.

1 SHERRY HUTT: Mervin, you raise a very
2 important point. The reason that number is growing
3 — there's actually a bright light there, and the
4 bright light is that when that number grows that
5 means that another museum that previously did not
6 submit an inventory has given us an inventory maybe
7 for the first time. So there's a discussion
8 document that's being disclosed that was previously
9 not disclosed. And that's where you get increased
10 numbers when we get new inventories, museums
11 receive Federal funds for the first time, or
12 they're bringing their records current or being
13 thorough, and they amend to increase the numbers
14 that they're reporting. So you're seeing a depth
15 of work being done to be more correct.

16 So when that number goes up, it doesn't
17 necessarily reflect that there are more
18 unidentifiable going into repositories, but that
19 the repositories are doing a better and better job
20 of seeking them out and listing them. And the
21 number I want to call your attention to that we
22 hope to see increase, if you'd like to see a
23 barometer of where we should be, look at that
24 8,682. These are individuals who are part of the
25 123,483, but for whom disposition has been

1 achieved, either as culturally affiliated or
2 disposition as culturally unidentifiable but having
3 been transferred to a tribe. When that number
4 grows, then you know the effectiveness of
5 consultation under 10.9 and the effect of the 10.11
6 rule can be measured by the – simply by the growth
7 of that number.

8 MERVIN WRIGHT, JR.: And just for point of
9 clarification, I – my comment was not implying that
10 more collections are being added to the database.
11 You clarified why this number is increasing, but it
12 also now brings up the issue of compliance, and so
13 – but that's a different discussion for a different
14 day. Thank you.

15 ROSITA WORL: Thank you.

16 Sonya, did you have further questions?

17 SONYA ATALAY: I do have further questions. I
18 apologize. I know we have a limited time, so if
19 there is time I would like to go through. I have,
20 I think, three more – three to four more points if
21 I could do that.

22 ROSITA WORL: Let's go ahead and do that.

23 SONYA ATALAY: Okay. So on page 4 also we talk
24 under Future Projects, you speak about what looks
25 like a five-year, perhaps more, project of

1 digitizing the inventories and summaries. And I
2 just would like to hear a little bit more about
3 that, particularly how that would be (comment
4 inaudible) and how it would come — how it's
5 different than — how people would use them
6 differently if they're digitized and if there's
7 plans then for putting those in a database or how
8 those digitized files would presumably be used.

9 SHERRY HUTT: Once files are — and this is
10 Mariah's hope, this is her horizon hope for the —
11 we always like to have goals that further benefit
12 the constituents, and digitizing the actual
13 documents would then enable them to be accessible
14 online as well. And keep in mind that when you
15 look at the CUI database, you are looking at a part
16 of the information that is in the inventory. So
17 when you want more information behind what you see
18 on the database, then you go to the inventory. And
19 of course, the inventory is just a head note of the
20 information that actually exists for the repository
21 that you reach by consultation. So there is an
22 incremental benefit to actually having the
23 documents because there's more information in those
24 documents. So if it could be — if we get to the
25 technological state, the digitizing can be done and

1 is not, you know, expensive, it will give better
2 access. Plus we're moving from paper. We're
3 moving from something that's harder to move around
4 to something that can be accessed electronically,
5 and that eases use for everyone.

6 SONYA ATALAY: Thanks for the information. My
7 next question is on page 5 under the Civil
8 Penalties segment. I don't know how much of this
9 information can be publically disclosed. I really
10 have no idea. But I did want to know — it was
11 noted here that \$9,820 in penalties was paid by one
12 museum, and I have just a question of which museum
13 that was and if — what happens with that money, if
14 it recycles into the program or where those funds
15 go.

16 ROSITA WORL: Sherry?

17 DAVID TARLER: With respect to where civil
18 penalties go, the Miscellaneous Receipts Act
19 controls here. And as Congress has not directed
20 otherwise, any NAGPRA civil penalties are paid to
21 the Treasury of the United States.

22 Now, there obviously are — there can be
23 expenses that a tribe might incur and would not
24 have incurred but for the allegation that the
25 museum has failed to comply with the requirements

1 of NAGPRA. And there is a provision in the
2 regulations that if the tribe is – the tribe is
3 indemnified by the museum for its – but for
4 expenses, then that amount might be used to
5 mitigate the resulting civil penalty that's
6 assessed against the museum that's been found to
7 have failed to comply with the requirements of
8 NAGPRA. But otherwise, civil penalties go to the
9 Treasury.

10 And another point I think is important here is
11 that a failure to comply with the requirements of
12 NAGPRA is a failure to comply with a law of the
13 United States, and this is an action brought by the
14 United States against a museum that has failed to
15 comply. So the parties here are the Department of
16 the Interior, the Secretary of the Interior, and
17 the museum against which an allegation is made.

18 The museum in question that was assessed the
19 penalty of \$9,820 was the City of Harrisburg,
20 Pennsylvania.

21 ROSITA WORL: Hello.

22 DAVID TARLER: That's all, the City of
23 Harrisburg, Pennsylvania.

24 ROSITA WORL: Does that answer your question,
25 Sonya?

1 SONYA ATALAY: Yes, it does. Thanks. My next
2 question is regarding the – I wonder if we could
3 have an update on the GAO study, particularly I
4 think Sherry mentioned that the study has been
5 completed.

6 SHERRY HUTT: Yes, Sonya. Thank you. Actually
7 we had a bit of a meeting this week with the GAO in
8 which they handed out a Statement of Facts, but it
9 wasn't for general delivery or we weren't – believe
10 me if we had the ability to share it and present it
11 to you we would have done so. It was a very rough
12 draft of their overview of the statement of facts,
13 and it was given to various agency heads so that if
14 there were corrections they could be duly noted.
15 We had a few dozen corrections to note.

16 So now the time schedule for the GAO is that
17 next Friday they anticipate having a preliminary
18 draft report. That will go to the Department of
19 the Interior, which is on behalf of the National
20 NAGPRA Program, and then to each of the agency
21 heads that are interviewed in that report. And
22 each of the Federal agencies will have three weeks
23 in which to prepare formal statements taking
24 exception to anything that's raised and any issues
25 of – statement of facts, in addition to any

1 conclusions or anything that's raised there that
2 they take exception to or want explained, the
3 Federal agencies will have three weeks to do that.
4 So they'll turn those back in by July 18. Then by
5 the end of July the GAO will have a formal report.
6 We will receive that. When we receive it, we will
7 send it out to you. And then what happens is we
8 look at them, we reflect on the recommendations
9 that are made, and we respond to those
10 recommendations, and we send those recommendations
11 to the GAO to forward to Congress with their final
12 report.

13 And they've broken the study — their study
14 into basically four or five areas. One is looking
15 at Federal agency compliance, and to that extent
16 they've taken the data from National NAGPRA and
17 they made some trips out to the agencies and talked
18 to agencies on site to sort of look at how they
19 house their collections and what kind of job
20 they're doing in terms of the collections. And
21 they're looking at how much an agency needs to do
22 yet to come into completion of the obligations
23 under the law.

24 Secondly, they looked at the National NAGPRA
25 Program and the management functions and the way

1 that the program handles things, and in that regard
2 they were looking at such things as our databases.
3 And they didn't so much look at staffing and all.

4 The third was the Review Committee, and to
5 that extent they interviewed some of the Review
6 Committee members. They focused on – in that
7 regard, they were focusing mostly on Review
8 Committee selection. And then they also looked at
9 the rule, the new CUI rule.

10 Their client is Congress, the Senate Indian
11 Affairs Committee and the House Natural Resources
12 Committee, and so these are questions that have
13 been put to GAO. So keep in mind when you see this
14 report that they are communicating to their client.
15 They've gone out and collected data. If there are
16 things in there when we see that report that we
17 feel could be fleshed out more we have the
18 opportunity to respond. They may or may not
19 include it in their final report, but then we also
20 have the opportunity to respond on that. To the
21 extent that you're looking for new data or full
22 audits of agencies, I don't know how much of that
23 data you'll see. But I can tell you that you will
24 see something in terms of their report by the end
25 of July.

1 SONYA ATALAY: Great. Thank you very much.

2 My final question is regarding – on page 9
3 regarding the NAGPRA at 20. I just wondered if you
4 could give an update on that planning, particularly
5 regarding – we just learned that several of the
6 committee members for that have stepped down and
7 I'm just concerned that things are – I'd like to
8 know where things stand at this point.

9 SHERRY HUTT: Sonya, this is Sherry. Sangita
10 is here and we do have an actual agenda item on
11 that, so do you want to go to it now or at the time
12 that it's on the agenda, whatever, whatever you –

13 SONYA ATALAY: I'm done with my questions, so
14 it's up to you, Madam Chair, how you would like to
15 proceed (comment inaudible).

16 ROSITA WORL: If it's on the agenda later,
17 let's just hold it until then and see if there are
18 any other committee members who have questions.

19 MERVIN WRIGHT, JR.: Yes, Madam Chair, this is
20 Mervin.

21 ROSITA WORL: Go ahead, Mervin.

22 MERVIN WRIGHT, JR.: Getting back to Sonya's
23 second question regarding the databases, and I
24 notice that it states there's a Native American
25 Consultation Database. I raised the question the

1 last time I was in DC with regard to the National
2 Park Service trust responsibility policy because in
3 most agencies they have a document that governs
4 consultation and the process of consultation. And
5 I think it would be necessary for the Park Service
6 to have a policy. If not, they should yield to the
7 Interior Department's consultation policy. Thank
8 you.

9 ROSITA WORL: Thank you, Mervin.

10 Now are there any other comments on the
11 report, on the NAGPRA Program Manager's report?

12 Thank you. And thank you, Sonya, for all of
13 the questions that you asked. I think that the
14 answers were informative but I think what it
15 suggests to me is that the Program Manager's report
16 might contain a little bit more context in the
17 report, because we have the opportunity to read the
18 report and then that - I think that might - I know
19 it's a learning process when you're a new member.
20 But I - so I think it will be helpful, Sherry, if
21 your reports were just a little bit more - had a
22 little bit more depth or context to your report, to
23 each of the issues.

24 SHERRY HUTT: The suggestion is well-taken, and
25 we're headed toward that for the November report.

1 Thank you.

2 ROSITA WORL: Thank you very much.

3 Okay. Let's go ahead and move on, the next
4 agenda item, tracking the consequences of past
5 Review Committee findings of fact and
6 recommendations. Sherry.

7 **TRACKING THE CONSEQUENCES OF PAST REVIEW COMMITTEE**

8 **FINDINGS OF FACT AND RECOMMENDATIONS**

9 SHERRY HUTT: We have with us Sally Butts, who
10 is a rising 3L, which is another way of saying she
11 is going to be a third year law student in the fall
12 at the University of Idaho Law School in Moscow,
13 Idaho. We're very pleased to have her here this
14 summer. She is doing a complete analysis of Review
15 Committee, and we all acknowledge that the impact
16 and contribution of the Review Committee is
17 underreported in terms of how we look at sort of
18 our annual reports.

19 As you look at Section 8, there are a number
20 of things that you do that go beyond the
21 recommendations – the findings of fact and
22 recommendations. So I just want to sort of head
23 note Sally's presentation by letting you know that
24 the report that she is working on is really looking
25 at all of the aspects of what the Review Committee

1 has given over the period of time in all of the
2 charges that are given to it under Section 8. But
3 the findings of fact and recommendations have been
4 the first and will be the sort of largest and the
5 most consequential section in that report because
6 it takes going through the data to really pull it
7 out.

8 And I'd like to really turn it over to Sally,
9 is that all right? And have you describe – and
10 she'll describe the report, and please feel free to
11 discuss with her what she is doing and the guidance
12 that you have to illuminate her data.

13 ROSITA WORL: Thank you. Go ahead, Sally.

14 SALLY BUTTS: Well, I'm very pleased to have
15 this opportunity to work on reporting on all of the
16 good work that you've been doing since the Review
17 Committee was created in the early '90s. I'm just
18 getting started, so I have a lot to learn and to do
19 while I'm here. But I'm about through with looking
20 at the disputes and findings and recommendations
21 that go with those actions. And I'm putting
22 together a series of tables that will track those
23 actions, as well as other actions. And then along
24 with those tables or databases, I will be putting
25 together a report that will also describe some of

1 the other subparts of 3006 Section (C), so that
2 there's sort of a complete picture of the actions
3 of the Review Committee over the length of time
4 that you've been together. So I guess if you have
5 questions or have input, I welcome that.

6 SHERRY HUTT: If I might jump back in a little
7 bit, one of the things that Sally is doing that I
8 think is going to be critical and of use to our
9 constituents and for all of us is that when you
10 look at the charts — we have given you charts in
11 the past, but they've not been of depth and been
12 highly informative. And one of the things to look
13 at is what exactly was that issue. And to really
14 do a head note so that anyone who looks at what you
15 recommended can follow the recommendation, follow
16 the issue.

17 We need to really discretely identify the
18 issue and put that phrase in the graph, so that
19 they know what the topic was, what the concerns
20 were, what the true issue and controversy was, and
21 then the recommendation that flowed from that. And
22 that should be of educational benefit to museums
23 and tribes and Federal agencies as well. When they
24 hit a snag and they hit a bottleneck and they want
25 to look at this and say, what would the Review

1 Committee do? Has the Review Committee already
2 dealt with this issue, and if so, what was the
3 result? Does this give us guidance before we even
4 bring something to the Review Committee, or do we
5 have sort of a new issue here? And that's the
6 educational benefit of that.

7 The other thing that you've asked is what is
8 the consequence of the recommendations that you
9 made, and some of those consequences can be seen in
10 notices that are published. And that's one thing
11 to note the notice and when the chart is up on the
12 website to have a link. But there are other
13 consequences that come from your recommendations.
14 Sometimes the museum and the tribe will seek a
15 NAGPRA grant so that they can engage in more
16 fruitful consultation. There are a number of other
17 things that occur as a consequence of your
18 recommendations that I don't think have been fully
19 identified and they are of consequence. And so
20 Sally is looking broadly at all of these to really
21 give a big picture of what goes on after you make
22 your recommendations. And Sonya and Alan and
23 Rosita have given us their thoughts, and Sally is
24 taking all of those suggestions into account. And
25 of course one of those is actually contacting the

1 parties for one-on-one follow-up as to where they
2 are today. So you're going to get some quick
3 graphs that can go on the website and be
4 educational, but you're also going to get a full
5 report such as you've not had over the period of
6 time that the Review Committee has been in
7 existence. So we're pleased to have her – and I
8 should also note that to aide her in getting to the
9 heart of the matter, Lesa has – Lesa Koscielski has
10 prepared a notebook for Sally for the first day
11 that she arrived, that had all the documents and
12 all of the things from the record, from the past
13 record so that Sally could really get into the meat
14 of the matter and have all of that data. So we're
15 very thankful that Lesa assisted us in that regard.
16 Madam Chair, any questions?

17 MERVIN WRIGHT, JR.: Yes, Madam Chair. This is
18 Mervin.

19 ROSITA WORL: Go ahead, Mervin.

20 MERVIN WRIGHT, JR.: Yeah, I think I'm hearing
21 that feedback. It sounds like it's echoing from my
22 side. Anyway, I guess getting back to what Sherry
23 is referring to in listing the disputes and looking
24 at the table, I think some of them are vague, like
25 number 5, for example, the Chaco Culture – Chaco

1 Culture National Historical Park. The dispute just
2 says process, so that could be a number of things.
3 Then there's others like number 6, which is the one
4 I'm familiar with. I think the issue was cultural
5 affiliation because the tribe was claiming
6 affiliation but the Bureau of Land Management was
7 stating that it was not, and so I think when we're
8 talking about a dispute, you know, centering on
9 issues like cultural affiliation, conflicting
10 claims, cultural items, sacred objects, I mean I
11 think it's pretty clear, I mean, unless there is a
12 different issue that the National Program sees with
13 regard to the dispute, and if that's the case then
14 it needs to be listed here. Otherwise, you know,
15 we're being given misinformation. Thank you.

16 ROSITA WORL: Thank you, Mervin.

17 SALLY BUTTS: Madam Chairwoman, can I respond
18 to that. This is Sally Butts. Just to give a
19 little more information focusing on the disputes, I
20 think the level of information that I'm working
21 toward is between the summary table that, for
22 example, is at the end of the FY07 final report and
23 I think the chart that you're talking about where
24 it just lists like cultural affiliation, just real
25 brief piece of information. And then looking at

1 the volume of information that's in the Review
2 Committee minutes and other supporting materials,
3 the piece that I'm working on is sort of an
4 intermediate step between that, that's in a - going
5 to be a digestible table to look at easily.

6 But it will, I think, track the complete story
7 from when the issue originally arose to then doing
8 follow-up after the whole Review Committee process
9 was completed to contact the appropriate tribe or
10 museum or organization to find out what has
11 happened after, say, the repatriation notice has
12 been published, what is the effect of the notice
13 and what has happened with the remains or the
14 cultural items, that sort of thing. I don't know
15 if that helps, but that's sort of what I've been
16 working on. And I'm at the stage now where I've
17 identified organizations or tribes that now I need
18 to contact to find out what has happened since the
19 Review Committee finished their work.

20 ROSITA WORL: Thank you. Do we have any other
21 comments or questions from the Review Committee
22 members?

23 Thank you very much, Sally, for that, and we
24 look forward to your work.

25 SALLY BUTTS: Thank you.

1 ROSITA WORL: Okay. Now we're at agenda item
2 *NAGPRA at 20*. Sherry.

3 **NAGPRA AT 20, NOVEMBER 15-16, 2010, WASHINGTON, DC**

4 SHERRY HUTT: Actually, I'm going to turn this
5 over to Sangita. She has been the one that has -
6 and I should say, if I might, as Sangita looks
7 through her papers, *NAGPRA at 20* and the whole
8 concept, Sangita is I think to be lauded for
9 picking this up because it was her thought
10 initially that if nobody comes forward and does
11 something then it will pass by and not get done.
12 And so she has entered into it, to the extent we've
13 all entered into it together, with the idea that it
14 is an open process to have the involvement of those
15 who will to the extent they desire so that we can
16 all celebrate the law at its 20th anniversary and
17 not let that point go by unnoticed and undiscussed.

18 And so please accept everything in the spirit
19 that we have a person here who took some
20 initiative. Much of this work she has been doing
21 on her own time, in addition to all the grants
22 work. And I know what her work productivity is,
23 and it hasn't slacked off one iota in doing all of
24 this and communicating with people across the
25 country that she's bringing to this. So I hope you

1 will accept it in the open spirit and the creative
2 initiative that has been brought to this.

3 Sangita.

4 SANGITA CHARI: Thank you, Sherry. Good
5 afternoon, and I will give this presentation –
6 really I see Eric, who is a member of the NAGPRA at
7 20 planning committee, leading this. But Eric,
8 just to start it off, I – let me tell you a little
9 bit about it. We started last August, I believe.
10 We formed a committee that was what we felt would
11 be a good cross-section of representatives from
12 museums, Federal agencies, and tribes, as well as
13 Eric, who represented the Review Committee. And we
14 have met, I really – as much as Sherry says it was
15 me, I have to say the people that have been a part
16 of this committee have been incredible. They're
17 giving their own personal time to this, and it's
18 taken up far much more time than I think they
19 recognized it would when they agreed to do this.

20 We have met – we met once for a full day in
21 Sarasota, as you probably know, but we also meet
22 continually over the phone. We did a process where
23 – or actually actively – well, continue to actively
24 get input from NAGPRA leaders from across the
25 country who were involved back when NAGPRA the law

1 was passed, as well as are currently active, to
2 solicit their input as to how the program should
3 move forward. We've received requests to speak
4 from museums and tribes across the country. I
5 think there's really good energy around this
6 program.

7 It's going to be held in partnership with the
8 George Washington University. It will be actually
9 on their campus, the Department of Museum Studies,
10 as well as their Anthropology Department, as
11 helping cosponsor the event. We also have gotten
12 great response from the National Museum of American
13 Indian, who has a — will be hosting actually an
14 event, a reception on November 16th to commemorate
15 NAGPRA, the actual day of the passage, the
16 twentieth anniversary of the passage. So we'll be
17 over at the NMAI for that evening. So it's a two-
18 day event. Where we are right now is putting
19 together panels — I really hope to have that
20 finalized by the end of this month — and then
21 soliciting speakers.

22 And I think, Eric, with that, I'm going to
23 turn it over to you.

24 ERIC HEMENWAY: Thank you, Sangita.

25 Sangita approached me when the committee was

1 first being formed about sitting on it and having
2 input from the Review Committee, not just as a
3 Review Committee member but as a tribal
4 practitioner of NAGPRA, and I accepted. And since
5 then, it's been incredible to see how much we've
6 accomplished in this amount of time. We've had -
7 it started out as a larger committee, but some
8 people have left, to address Sonya's previous
9 question, for personal reasons. But we just had a
10 teleconference yesterday, and at the teleconference
11 there was a museum representative, Sangita of
12 course, myself, and there was a representative for
13 a Federal agency. So we had like the whole crowd
14 covered, and it was really productive.

15 We had good energy amongst ourselves with
16 bouncing ideas, and people have come up to me
17 personally and found out that I was on the planning
18 committee, and they are so excited about being at
19 NAGPRA at 20 that they are willing to provide their
20 own funds. They're going to get there on their
21 own. They want to know what they can do to
22 present. That would be the museums that I've
23 worked with personally and some I haven't, and they
24 still contacted me and just wanted to know what
25 they could do to be a part of this. So there's a

1 lot of interest generated around *NAGPRA at 20*, and
2 I think that with Sangita's help and Jaime's been
3 helping there at National NAGPRA. And the Federal
4 agency guy, is that Fred York?

5 SANGITA CHARI: Yes.

6 ERIC HEMENWAY: Fred has been a big help.
7 Trish Capone from the Peabody at Harvard has been a
8 big help. Shannon – help me with their last names,
9 Sangita.

10 SANGITA CHARI: O'Loughlin, Shannon O'Loughlin,
11 Chip Colwell-Chanthaphonh, Kelly Jackson with the
12 Lac du Flambeau Tribe, Joe Watkins and – are the
13 ones that are on it currently. We've reached out
14 and we've heard good response from Walter Echo
15 Hawk, from Suzan Harjo. We've – and more – other
16 outreach that we've done has been – we're actually
17 still hearing from people. We just received a
18 really wonderful email from Rich Hill talking about
19 the kinds of things – there seems to be a real
20 sense that, you know, this is important and that
21 people need to see case studies of how NAGPRA has
22 worked, but there also needs to be space to talk
23 about the issues that really still exist and are
24 very real and very present. So we hope to create a
25 space where best practices are presented and where

1 people are in the same room and just speak honestly
2 about what needs to happen to move the process
3 forward.

4 ROSITA WORL: Okay. Thank you, Sangita and
5 Eric.

6 Do we have any questions or comments by the
7 Review Committee members?

8 Thank you very much for that report –

9 SHERRY HUTT: Madam Chair, this is Sherry.
10 Although Eric has been our conduit for the Review
11 Committee in this regard, at this juncture, are
12 there things that you want to suggest or ways in
13 which you want to be involved? The panels are not
14 yet set. The agenda for the days is not yet set.
15 The only thing that we really have in time and
16 space is the evening, that Tuesday evening,
17 November 16, which is the 20th anniversary, and the
18 National Museum of the American Indian is willing
19 to host an evening event and hopefully invite the
20 senators, the members of the House who were
21 involved in the passage of NAGPRA. And of course,
22 we want to hopefully bring you all in for the
23 meeting in sufficient time that you can – that you
24 all can be participants in that. So if you're
25 going to be able to be here, are there ways in

1 which you want to be involved? Are there things
2 that you want to tell us now or do you want to
3 contact Eric or Sangita individually, but it
4 wouldn't be NAGPRA at 20 if it didn't have active
5 and meaningful involvement of the Review Committee.

6 ROSITA WORL: Okay. Thank you, Sherry. If any
7 of the Review Committee members are interested, if
8 they could contact Sherry or Eric or Sangita and
9 let them know.

10 So let's move on, our Future Reports by the
11 Review Committee and the National NAGPRA Program.
12 What was the intent of this? How did this differ
13 from the other report tracking the consequences?

14 **FUTURE REPORTS BY THE REVIEW COMMITTEE AND THE**
15 **NATIONAL NAGPRA PROGRAM**

16 SHERRY HUTT: We have one other person who is
17 coming on board, if I might just add, and this is a
18 follow-up to a suggestion that you all had made, I
19 believe it started with Dan and carried through
20 with Sonya. And that was a look at how some of the
21 large museums are dealing with their collections
22 and resolving their NAGPRA issues and moving
23 through the process. And Lauren Miyamoto will be
24 joining us on July 6, and that will be her study
25 area. We will – we will be back with you all as

1 Lauren gets here asking for your input and guidance
2 as you've given us for Sally, so that that's
3 another report that we'll have. It's something
4 that you've been asking for, something that we
5 agreed needs to be done. And hopefully with Lauren
6 here this summer we'll get a meaningful report done
7 to conclusion to be presented for November.

8 ROSITA WORL: Thank you, Sherry. Do we have
9 any questions, comments on this agenda item?

10 So hearing none, let's move on to the next
11 agenda item and this was the Apache – Western
12 Apache Working Group, their presentation.

13 **ISSUE SURFACED IN THE PRESENTATION OF THE WESTERN**
14 **APACHE NAGPRA WORKING GROUP (MAY 14, 2010)**
15 **CONCERNING THE IDENTITY OF CULTURAL ITEMS**

16 ROSITA WORL: Actually I had requested that
17 this be put on the agenda as an agenda item. I
18 think that we have dealt with the first issue that
19 they identified and that was, you know, concerning
20 the identity of cultural items as sacred items or
21 objects of cultural patrimony, and I think we
22 addressed it, the sentiment of the Review Committee
23 that they should be identified as sacred objects or
24 objects of cultural patrimony. We did note that in
25 the report to Congress. I want to thank Eric for

1 including that. And then also there was that
2 Notice of Intent – that published notice, you know,
3 where this issue was discussed and the finding of
4 the Review Committee was made.

5 The concern I had was that it seemed to be at
6 variance with what our – what we are offering from
7 the National Program. And I didn't know how – you
8 know, how do we address that? So I'm asking Carla,
9 I guess, or Stephen if they want to comment on
10 that.

11 CARLA MATTIX: Hi, Rosita. This is Carla
12 Mattix. We actually provided the Review Committee
13 with a legal memorandum in 2008 that addressed the
14 legal issues involved and why at this juncture we
15 don't have a lot of flexibility with respect to
16 this issue.

17 ROSITA WORL: And so – but the Review Committee
18 made its findings that we feel like it should be
19 identified beyond just cultural items, and I don't
20 know how we address this issue whether is it – do
21 we go back to Congress or can it be something
22 that's dealt with in the regulations? So we need
23 to address how we – you know, how do we resolve
24 this difference of opinion?

25 STEPHEN SIMPSON: Madam Chair, this is Stephen

1 Simpson. The opinion that Carla refers to that we
2 gave the Review Committee was based on the
3 regulations themselves and the preamble to the
4 regulations. And so it is a matter that is
5 appropriate for the amendments to the regulations
6 that will be happening after the 10.7 rule.

7 ROSITA WORL: Okay. That's great, then so
8 there will be a way to address that issue.

9 STEPHEN SIMPSON: Yes.

10 ROSITA WORL: Great. Thank you very much for
11 that.

12 The second issue that was raised in the Apache
13 Working Group presentation was that they refer to
14 it as the issue of mootness, and that is I guess
15 what they were advised that if something had been
16 repatriated then they did not have the — it could
17 not come to the Review Committee to discuss the
18 matter. And from my perspective, we have indicated
19 that we are interested in any time that, you know,
20 when we have a dispute, we want to know what's
21 going on with the resolution of it. We have — you
22 know, we have always had an open invitation to
23 tribes and to museums and the scientific community
24 to come to the Review Committee. And from my
25 perspective, I don't want to do anything to deter

1 that kind of public participation, and I'm not too
2 sure how we want to address this. And maybe David
3 has a comment.

4 STEPHEN SIMPSON: Madam Chair, this is Stephen
5 Simpson. David actually asked me to talk about
6 this. The – we have gotten correspondence from the
7 Western Apache Coalition on this point as well, and
8 basically what this boils down to is the authority
9 of the DFO and in consultation with the Chair to
10 set the agenda of the Review Committee. And that
11 would certainly – you know, whether a particular
12 item goes on that agenda is within that discretion
13 and the factors that fold into that, as you know,
14 are largely whether the advice of the Review
15 Committee would be helpful to the parties at the
16 stage that that particular question is in, and
17 especially whether the Review Committee's time and
18 its role as a recommending body to the Secretary
19 would be better spent in something that is – that
20 has already – where the repatriation has already
21 taken place or would be better spent on other
22 issues.

23 SHERRY HUTT: This is Sherry, if I might, Madam
24 Chair, add something, there's two different things
25 here, and one is can you bring something as a

1 dispute or for findings of fact, and Stephen speaks
2 to that; that there's something that can occur as a
3 consequence of the Review Committee determination
4 and that if it's already occurred then it's done.
5 And if you are opening that to findings of fact,
6 what you're really opening is the entire history of
7 NAGPRA and anything that's gone on, can you all
8 make decisions on things that are historic. And so
9 framing something in a finding – and to use a
10 nonlegal look at things, to frame something as a
11 dispute or a finding of fact that is not yet done
12 means that you can have an effect.

13 That doesn't preclude, that doesn't keep the
14 topic from coming up in another way, and that is in
15 the public comment, you're bringing issues to the
16 Review Committee that can be commented upon and
17 included in your report to Congress as barriers.
18 So there are different ways that something might
19 come up. You dealt with this as a finding and you
20 also are dealing with it as a problem area that you
21 see of consequence that you're looking at different
22 creative ways to deal with in your general
23 recommendations and determinations of barriers.

24 And so I would hope that when you look at some
25 of these issues, if it doesn't come under one part

1 of the agenda it might just generally come under
2 another part and that your gut reaction that
3 there's still something there you want to talk
4 about can still be talked about. You're not
5 precluded, even though it's not a 4(c)(3) or a
6 4(c)(4), or whatever the statutory numbers are that
7 fit under findings of fact and conclusions of law.
8 So I would just convince you that you keep that in
9 mind.

10 ROSITA WORL: Well, I think this also
11 demonstrates the point that was made earlier that a
12 tribe almost has to have a lawyer to be able to
13 talk to the NAGPRA Program or to the Review
14 Committee, and I think that's something that we
15 want to avoid and I think we want to be responsive.
16 And I know that in the past we have – the Review
17 Committee has in fact, you know, had issues before
18 it where a finding of fact has been already
19 completed. So from my perspective, and I will say
20 that as long as I'm the Chair, you know, I want to
21 have open communication with our constituents and
22 if – I just want you to – we should find ways to
23 allow them to make those presentations. I want
24 them to feel, this is the Review Committee, they
25 should be able to come to the Review Committee, and

1 I would like to have our interpretation liberal in
2 terms of we want to encourage, you know,
3 consultation. The President has issued his
4 Executive Order on consultation, and I think in
5 good faith, you know, we as the Review Committee
6 really need to be open to hearing from our
7 constituents.

8 And that's the only comment that I'm going to
9 make on this issue. Are there any other comments
10 on this agenda item?

11 SONYA ATALAY: Yes, Madam Chair. This is
12 Sonya. I have a question actually.

13 ROSITA WORL: Go ahead, Sonya.

14 SONYA ATALAY: I'm just wondering if I would be
15 able to receive a copy of the opinion that Carla
16 and Stephen put together in 2008 because I wasn't
17 on the committee at that point. I hadn't seen it.
18 Could I get a copy and read that, please?

19 CARLA MATTIX: David, was that included in
20 their materials previously, just in the last
21 meeting?

22 DAVID TARLER: As far as I know, it was not
23 included in the materials for the previous meeting.
24 I believe it was written before my time, but we can
25 certainly make that available to Sonya, and

1 actually we can resend it to all the Review
2 Committee members.

3 ROSITA WORL: Yes, why don't we do that.

4 MERVIN WRIGHT, JR.: Yes, I'd appreciate that
5 too. This is Mervin.

6 ROSITA WORL: Okay. That was our last agenda
7 item, unless I've missed one.

8 DAVID TARLER: Madam Chair, if Corky Allen is
9 still on the line, we might want to have him resume
10 his presentation.

11 ROSITA WORL: All right. Corky, are you - I'm
12 sorry, Mr. Allen, are you ready? Mr. Allen?

13 Mr. Allen, we're ready for your presentation.

14 DAVID TARLER: Madam Chair, apparently
15 Mr. Allen is not on the line.

16 ROSITA WORL: All right. Well, we invite him
17 to present at our next meeting. Do we have any
18 other agenda items?

19 If not, let's go ahead - just one other agenda
20 item. You all received copies of the minutes, and
21 if you have any comments, if you would let me know
22 as soon as possible I'd appreciate that, myself or
23 David Tarler or Lesa.

24 So if there are no other agenda items, why
25 don't we have Donna do our closing.

1 DAVID TARLER: Madam Chair, this is the DFO.

2 ROSITA WORL: Yes, go ahead.

3 **CLOSING COMMENTS**

4 DAVID TARLER: I would like to bring to your
5 attention that Donna Augustine's term on the Review
6 Committee expires in October of this year, and that
7 if – this might be her last Review Committee
8 meeting.

9 ROSITA WORL: That does bring up the question,
10 did we change the FACA rules to allow for her to
11 continue should there not be another appointment
12 made?

13 DAVID TARLER: The document that would control
14 here would be the Charter of the Review Committee
15 pursuant to the Federal Advisory Committee Act.
16 That Charter is up for renewal in November of this
17 year, and so the holdover provision that was in the
18 previous Charter is not in the present Charter.

19 ROSITA WORL: Then we need to move
20 expeditiously on this so we avoid the situation we
21 had the last time with that.

22 SHERRY HUTT: Madam Chair, this is Sherry. If
23 I might comment on the selection process, because
24 one of the things that you all had raised was how
25 does that occur and what goes on and what are the

1 unknown parts of that process to you. Might I
2 comment on – take this opportunity to comment on
3 that?

4 ROSITA WORL: Yes, go ahead.

5 SHERRY HUTT: And we have had the practice in
6 recent years of putting the Federal Register notice
7 soliciting nominations well in advance of a vacancy
8 occurring or a term expiring. That's not to give
9 anybody the bum's rush, but it's to enable the
10 maximum amount of time for the Secretary to do all
11 of the work that goes into selecting Review
12 Committee members. In this case, the notice
13 published in late January or early February, I
14 believe, and we usually give 90 days to – 60 or 90
15 days to nominate, but not 30 days certainly,
16 because that's just not enough time for
17 organizations and for tribes to react. And we've
18 typically had a robust applicant pool. This time
19 we had three nominees for the position.

20 Then what happens when nominations close and
21 we wait just a few days to see if the mail is
22 catching up because something might be postmarked
23 on the last day but not received on that day. And
24 then a package is put together, and we say it's a
25 package, we put in the notice that went out and the

1 blurb on what the NAGPRA Review Committee is, and
2 the materials that have come in on behalf of each
3 of the nominees. And we put that in a folder and
4 we give it to the policy department in the National
5 Park Service. They then put it in a form with a
6 cover sheet that gets signatures on it and it goes
7 up through the process.

8 So once we receive all of the documents from
9 the nominators we put it in a file, it leaves our
10 hands, and it goes up through the Department. Now
11 this is – there's nothing really mysterious about
12 it, but it is a carefully reviewed matter. We have
13 had members of Congress submit written support for
14 various members of the Review Committee and we
15 include that in the package, and there's a lot of
16 attention to the Review Committee on the Hill.
17 They're aware of NAGPRA. They're aware of what you
18 all do. They've received past reports of Review
19 Committee reports to Congress, and we're thrilled
20 that there is that kind of attention and they do
21 give it that attention.

22 So when the package – we call it a package,
23 but it's basically a file and it's got all the
24 documents that have come to us, we send those
25 forward. And when it leaves our hands, the policy

1 department takes it and walks it through the
2 Department up through the channels. So it goes
3 through the Park Service, through the Assistant
4 Secretaries, and then it goes to the White House
5 Liaison, and it goes over to the White House people
6 who are interested in all the appointments to FACA
7 committees. And that is — I mean I do not know
8 what all the White House does when they look at
9 appointees, but they give it attention. They want
10 to know who these people are. They look at those
11 materials. So there's a time involvement. And
12 then when it comes back from the White House, it
13 goes up to the Secretary's Office and to the key
14 staff in the Secretary's Office and they review it.

15 So being nominated to the Review Committee is
16 a substantial matter and it is given that due
17 respect by the members of the Department and from
18 the White House. And then we receive notification
19 from the policy office that a decision has been
20 made. So from the time it leaves us and goes,
21 unless there's a question about NAGPRA or what have
22 you, that's the process. And it's not a public-
23 input process, if we receive anything along the
24 way, if we get a letter from a Senator or a
25 Congressman that comes in that wasn't in the

1 folder, we get it caught up so that it gets put
2 into the package wherever it is along the way, and
3 the Secretary makes – actually the Secretary does.
4 I mean, it's not somebody that does a magic pen.
5 The Secretary actually makes the appointment and
6 takes this all very seriously. So you all are –
7 you look at yourself, you are a vetted, personally
8 chosen, intentionally chosen committee of the
9 Secretary, and that's how all this happens. And we
10 always want to leave plenty of time for that to
11 occur.

12 Now at the present, once the package, the date
13 closed and we had all the materials, we had
14 confidence we had all the materials. We put it in
15 the folder and gave it to the policy department,
16 and we check on it to see where it's at, and
17 currently I think it's at the White House. The
18 White House Liaison has it for vetting at the White
19 House. So that's the stage that it's at. When it
20 comes back from the White House, that file will go
21 right to the Secretary's Office and then we'll be
22 notified. So I'm thinking somewhere in the next 30
23 days we'll have an idea who that individual is.
24 And I have to tell you the situation in the Gulf is
25 extreme and it's catastrophic and the Secretary,

1 the Assistant Secretary, the members of the White
2 House are involved in actually being there, and
3 despite all of that, they are still handling
4 matters expeditiously in the Department. They're
5 living double lives, and we're truly grateful for
6 all the attention that they still give us, even
7 though matters of extreme importance are also on
8 their agenda.

9 ROSITA WORL: Thank you for that review,
10 Sherry. Does anyone have any questions about that?

11 Are there any final comments by the Review
12 Committee members?

13 I want to thank – and I know that the Review
14 Committee is behind me in thanking Donna for her
15 service. I mean, I think she's brought the heart
16 and the spirit of tribes to the Review Committee
17 and has done a tremendous service to all of our
18 constituents. So I hope we get to see Donna more.

19 DAN MONROE: If not, thank you so much, Donna,
20 for your service.

21 DONNA AUGUSTINE: Thank you. I was honored.

22 ROSITA WORL: Well, if you would honor us with
23 closing comments for our closing prayer.

24 DONNA AUGUSTINE: Okay. First of all, I want
25 to thank all of you. It was a – as you all know,

1 it's not easy being on the Review Board, and
2 sometimes – especially a Native person doing
3 ceremonies. Sometimes it's a bit different
4 language and the scientific language, because we're
5 more from – we operate more from intuition and
6 feelings. Native people do it that way, and to our
7 ceremonies we get guided. And so it hasn't been –
8 I guess it hasn't been easy.

9 But there's a tradition before I do the
10 closing prayer, that whenever our people – whenever
11 there's a gathering, any kind of gathering, we have
12 a traditional circle, traditional closing, and we –
13 we put people together in a circle. So I can't do
14 it physically so maybe I can just, you know, we can
15 just picture ourselves in a circle. And what we
16 do, the one that starts the circle, they go around
17 to each and every one and to shake everybody's hand
18 in that circle, and maybe give a hug if
19 appropriate. So I guess I'm closing my eyes and I
20 can just imagine that right now.

21 The reason why we do that is because we all
22 know that we have – in Native languages, we don't
23 have a word for goodbye. We have a phrase for – in
24 my language, the Micmac language, (Native American
25 language) means "I'll see you again." So when we

1 state this, we sincerely mean this because we know
2 that if we do not meet those people here in the
3 physical world that somewhere, sometime, in the
4 spirit world we will see them. So the reason for
5 the closing circle and the handshake and hug after
6 every gathering, at the end of everything that we
7 do, we go around and it's almost like an apology, I
8 guess, or we make things right before we – at every
9 point before we scatter again.

10 So I guess on that note, I'd like to say to
11 all of you thank you so much, and I apologize if I
12 ever hurt anybody's feelings. I want to make it
13 right now. I never intended – sometimes when we
14 speak – I'm also a NAGPRA rep, and I've been doing
15 this work since 1977 when the ancestors first came
16 to me, and I will do this, like I said, until I
17 take my last breath. This is my life purpose. And
18 so sometimes in doing this – I never, ever mean to
19 be disrespectful. Sometimes I might speak a bit
20 strong but I tried my best not to be disrespectful
21 and even in protecting burial sites on the Canadian
22 side where there is no national law, always done it
23 just in prayer and respect. I don't believe in
24 protesting.

25 So on that note, to all of you, like I said,

1 if I should have hurt your feelings in any way
2 ever, from my heart I apologize for that. I want
3 to leave all of you in a good way, and so on behalf
4 of our ancestors, (Native American language). My
5 spirit name is Thunderbird Turtle Woman. And the
6 second part, the Turtle, that spirit name comes
7 from an ancestor that – there was a burial place
8 not far from here that was over 3,000 years old.
9 It was excavated and that ancestor came to me
10 spiritually four days in a row and requested and
11 instructed me fully of how to make sure that the
12 remains were brought back. And I guess from there
13 he started teaching me how to start this work, how
14 to approach a burial site. Everything that I do in
15 this way, I owe it to the spirits of the ancestors.
16 I came here to this earth to work for them, and
17 hopefully that – sometimes I have to admit to all
18 of you that I've felt very inadequate and very
19 scared, and that I have to remind myself that no,
20 Donna, that spiritually you are speaking on their
21 behalf.

22 So on that note I'm going to offer a prayer of
23 gratitude, because everything that we do when we
24 say a prayer, we ask for help, we request help, and
25 we are told that it's very important to always give

1 that thanks and that gratitude. And I think that's
2 why our ceremonies are so strong that sometimes at
3 the hospitals when people – the doctors have given
4 up them, the Native people go in there and they do
5 ceremonies or even at their home, and somehow it's
6 like miracles. But because Native people have so
7 much faith in their ceremonies that before even the
8 ceremony is complete they're already giving thanks.
9 They're already giving thanks to the Creator that
10 they're prayers are answered, so therein lies the
11 faith.

12 So now I'm going to say the prayer, I'm going
13 to offer the – I've got tobacco in my hand I'm
14 going to offer to the Creator, the spirits of the
15 four directions, Mother Earth, and then to all my
16 relations because we believe that we are related to
17 everyone and to everything. We believe we're
18 related to the spirit of the trees, the spirit of
19 the water, and as we know if you hurt that water,
20 it comes back to hurt us as people. We see that
21 now. And so not only the water, but as we know the
22 clear cutting and so forth, but we believe that
23 everyone is related somehow and we are related to
24 everything on this earth. So I'll say my closing
25 prayer and thank all of you so much.

1 (Native American prayer.) The spirits of the
2 South direction, (Native American prayer). The
3 spirits of the West direction where our ancestors –
4 where we go when we leave this world, (Native
5 American prayer). The spirits of North direction,
6 (Native American prayer), Mother Earth, (Native
7 American prayer), Creator, (Native American
8 prayer), all my relations, thank you, all of you.

9 ROSITA WORL: Thank you very much, Donna.

10 DONNA AUGUSTINE: You're very welcome, Rosita,
11 and a big hug to all of you and a – just a big hug.

12 ROSITA WORL: Thank you.

13 DONNA AUGUSTINE: Thank you.

14 ROSITA WORL: Well, I want to thank the Review
15 Committee members and all of our participants who
16 have been involved with this meeting. I apologize
17 if I pushed you a little bit, but I knew we had a
18 full agenda and I was concerned that we might have
19 a Review Committee member leaving, so I apologize
20 if I was a little bit pushy.

21 DONNA AUGUSTINE: Rosita – Rosita, can I just
22 say something really quick too, to the people that
23 are on the phone, I know this is going to be
24 documented and written, to all the people – because
25 I'm also a NAGPRA rep still, to all the people that

1 come forth, all the NAGPRA reps and all the people
2 that come forth with presentations, I want to say
3 to them, because I know that this is going to be in
4 writing, that a lot of times I felt your heart and
5 I felt your spirits. And also to the museums and
6 the scientists that are dealing with this, I could
7 see a huge coming together. I could see healing
8 happening, and I acknowledge that I've seen that
9 from the first time where I began to now, and I
10 acknowledge and thank all of you. So I would say
11 continue because we're doing this work. It's very
12 sacred work for all of us on both sides because
13 it's the spirits of our ancestors. And one day,
14 every single one of us are going to be on the other
15 side and we're going to meet every single one that
16 we have talked about. So I just thought I would
17 add that, Rosita. I didn't mean to interrupt you.

18 ROSITA WORL: Thank you very much. We are
19 adjourned.

20 **MEETING ADJOURNED**